

AGENDA

ELKHART COUNTY BOARD OF ZONING APPEALS

NOVEMBER 21, 2013

8:30 A.M.

DEPARTMENT OF PUBLIC SERVICES
MEETING ROOMS A & B
4230 ELKHART ROAD, GOSHEN, INDIANA

Call to Order

Roll Call

Approval of Minutes of the last regular meeting of the Elkhart County Board of Zoning Appeals held on the 17th day of October 2013.

Approval of Legal Ads published in the Elkhart Truth and the Goshen News ten days prior to the public hearings.

Elkhart County Zoning Ordinance and Staff Report materials are to be entered as evidence for today's hearings.

TABLED/SPECIAL USE/DEV. VARIANCE 8:30 A.M. (HOMAN)

- A. Petitioner: ***Harry Mishler & Amelia Mishler*** **(Page 3)**
 Petition: for a Special Use for a home workshop/business for a general store (Specifications – F #45) and for a Developmental Variance for a sign to exceed 4 sq. ft. per side.
 Location: West side of SR 13, 1,280 ft. North of CR 40, common address of 65730 SR 13 in Clinton Township, zoned A-1. 65730SR 13-130923-1

DEVELOPMENTAL VARIANCE

- B. Petitioner: ***Nathan Johnson (buyer) and Stephen C. Johnson 2003 Revocable Trust (seller)*** **(Page 4)**
 Petition: for a 1,631 sq. ft. lot coverage Developmental Variance to allow for the construction of a residence, pool, and deck (Ordinance allows 5,827 sq. ft. maximum) and a 25 ft. Developmental Variance to allow for the construction of a pool and deck 5 ft. from the rear property line (Plat requires 30 ft.).
 Location: West side of Susquehanna Road, North of SR 120, being Lots 4 & 5 of Riverlan Isles Sub., common address of 54367 Susquehanna Road in Concord Township, zoned R-1. 54367SUSQUEHANNA ROAD-131021-1

9:00 A.M. (MILLER)

- C. Petitioner: ***Carolyn S. Kauble*** **(Page 5)**
Petition: for a 20 ft. Developmental Variance to allow for the construction of a garage
30 ft. from centerline of the right-of-way (Ordinance requires 50 ft.).
Location: Southwest side of Lake Shore Drive, at West end of Acorn Lane, 704 ft.
South of CR 4, being Lot 6 of Hasting's Heaton Lake Sub., common address
of 22918 Lake Shore Dr. in Osolo Township, zoned R-2.
22918Lake ShoreDr-131016-1

- D. Petitioner: ***Juvenal Moreno*** **(Page 6)**
Petition: for a Developmental Variance to allow for the total square footage of
accessory structures to exceed the total square footage in the primary
structure.
Location: North side of North Park Avenue, 1,635 ft. East of CR 9, being Lots 174,
173, and the West 16 ft. of 172, common address of 25681 North Park Ave.
in Osolo Township, zoned R-2. 25681North ParkAve-131018-1

SPECIAL USES

9:30 A.M. (HESSER)

- E. Petitioner: ***Brian A. & Regina M. Willard*** **(Page 7)**
Petition: for a Special Use for an agri-business to allow for the sale of seeds
(Specifications F - #56).
Location: South side of CR 42, 350 ft. East of CR 37 South, common address of 12944
CR 42 in Benton Township, zoned A-1. 12944CR 42-131011-1

- F. Petitioner: ***Waste Management of Indiana, LLC,*** **(Page 8)**
a Delaware Limited Liability Company,
AKA Earthmovers Landfill, LLC
Petition: for a Special Use to allow for the extraction (excavation) of gravel, sand or
other raw materials in an A-1 district (Specifications F - #10).
Location: Northeast corner of CR 9 and CR 26, common address of CR 9 in Concord
Township. 0CR 9-131021-1

10:00 A.M. (CAMPANELLO)

- G. Petitioner: ***Clinton Christian School Association, Inc.*** **(Page 9)**
Petition: for an amendment to an existing Special Use for a school (Specifications F -
#38) to modify site plan for two additions, a future third addition, and to
expand Special Use to include third parcel (-004) for reconfiguration of
parking.
Location: West side of CR 35, 1,000 ft. South of SR 4, common address of 61763 CR
35 in Clinton Township, zoned A-1. 61763CR 35-131021-1

H. Petitioner: ***Jerry D. & Cynthia Hawkins*** (Page 10)
Petition: for a Special Use for child care home in an A-1 district (Specifications F - #23.10).
Location: North side of Falcon Lane, 810 ft. East of CR 33, being Lot 7 of Dry Run Creek, common address of 14849 Falcon Lane in Benton Township.
14849FalconLn-131021-1

10:30 A.M. (WOLGAMOOD)

I. Petitioner: ***David A. Schutz (lessee) and Fern E. Fruchey (deceased)c/o John Fruchey (lessor)*** (Page 11)
Petition: for a Special Use for an agricultural use for the keeping of 20 chickens (hens) on a tract of land containing three acres or less (Specifications F - #1).
Location: East side of CR 15, 794 ft. North of US 20, being pt. of Lot 10 of Fern Dells, common address of 56414 CR 15 in Concord Township, zoned A-1.
56414CR 15-131021-1

J. Petitioner: ***Avery L. Aragona & Sam Burns*** (Page 12)
Petition: for a Special Use for warehousing and storing in an A-1 zone (Specifications F - #44).
Location: South side of CR 20, 400 ft. West of CR 31, common address of 16084 CR 20 in Jefferson Township.
16084CR 20-131021-1

SPECIAL USE/DEV. VARIANCE 11:00 A.M. (HOMAN)

K. Petitioner: ***Steven A. & Waneta Lea Borkholder*** (Page 13)
Petition: for an amendment to an existing Special Use for a home workshop/business for a woodworking business to make furniture (Specifications F - #45) to allow for the construction of an addition to the woodworking facility and for a Developmental Variance to allow the total square footage of accessory structures to exceed the total square footage in the primary structure.
Location: East side of CR 101, 2,400 ft. South of CR 56, common address of 72990 CR 101 in Locke Township, zoned A-1.
72990CR 101-131021-1

USE VARIANCE

L. Petitioner: ***Todd A. & Debra J. Hartman*** (Page 14)
Petition: for a renewal of an existing Use Variance for an electrical contractor's service.
Location: East side of CR 11, 800 ft. South of CR 28, common address of 61162 CR 11 in Harrison Township, zoned A-1.
61162CR 11-131018-1

11:30 A.M. (MILLER)

M. Petitioner: ***AMMF Trustee Corporation, Trustee for Amish Mutual Mortgage Fund, an Indiana Land Trust*** (Page 15)
Petition: for a Use Variance to allow for a second dwelling on one zoning lot.
Location: West side of CR 13, 950 ft. North of CR 52, common address of 71351 CR 13 in Union Township, zoned A-1.
71351CR 13-131009-2

TRANSFERRED FROM HRG OFFICER/DEV.VARIANCE

N. Petitioner: ***Richard & Anita Miller*** (Page 16)
Petition: for a 3 to 1 depth to width ratio Developmental Variance to allow for the proposed creation of two 17.5 acre parcels each with 120 ft. road frontage.
Location: West side of CR 35, 2,000 ft. North of CR 126, common address of 59841 CR 35 in Middlebury Township, zoned A-1. 59841CR 35-130923-1

TABLED ITEM

12:00 P.M. (HESSER)

O. Petitioner: ***G & H Enterprises, Inc. (land contract holder), and Anthony Coleman (land contract purchaser)*** (Page 17)
Petition: for a Special Use for a youth and adult recreational center (Specifications F - #20).
Location: North side of Old US 33, South of LaRue Street at intersection, common address of 28867 Old US 33 in Baugo Township, zoned M-2. 28867OLD US 33-130819-1

STAFF/BOARD ITEMS *(time of review at the discretion of the Board of Zoning Appeals)*

- *Benton Mennonite Church, Inc. – 15350CR 44-130218-1 – ILP deadline extension*
- *Robertson Chomphanuvong (owner) and Sourkahn Keovilayvong (co-owner) – 17341Us Highway20-100819-1 – major/minor – amendment to existing Special Use permit – addition to a place of worship*
- *Zoning Ordinance update*

ADJOURNMENT